



161 Worcester Road, P.O. Box 9320
Framingham, MA 01701-9320
Telephone: (508) 879-5700
Facsimile: (508) 929-3073

www.bowditch.com

Bowditch & Dewey, LLP

FACSIMILE TRANSMITTAL SHEET

07 1/2

TO:	FAX NUMBER:
U.S. Patent and Trademark Office Examiner Ruth Smith	703-308-0758
DATE:	PHONE NUMBER:
April 14, 2003	508-416-2475
FROM:	TOTAL NO. OF PAGES INCLUDING COVER:
Thomas O. Hoover	8

URGENT	FOR REVIEW	PLEASE COMMENT	PLEASE REPLY	PLEASE RECYCLE
--------	------------	----------------	--------------	----------------

RE: Attorney Docket No. 301489.3003-100

This is to acknowledge receipt of the following documents:

- ☒ Transmittal of Declaration Under 37 C.F.R. 1.132
- ☒ Declaration of Stephen F. Fulghum
- ☒ Copy of Biographical Sketch of Stephen F. Fulghum (Exhibit A)
- ☐ Check for (\$) _____
- ☐ Authorization to Charge all Fees
- ☐ Other _____

FAX RECEIVED

APR 14 2003

GROUP 3700

Applicant(s): Feld et al.
Application No. 08/745,509 Filed: November 12, 1996
Title: A Raman Endoscope
Date received by the PTO:

{J:\CLIENTS\ip\301489\3003\3003-100\F0239808.DOC;1} **CONFIDENTIALITY NOTE**

The documents accompanying this facsimile transmission contain information from the law firm of Bowditch & Dewey, LLP which is confidential and/or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

If you do not receive all pages or receive this fax in error, please call.

PATENT APPLICATION
DOCKET NO.: 301489.3003-100
Prior Docket No.: (MIT-6186Z)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Michael S. Feld and Joseph Baraga
Application No.: 08/745,509 Filed Date: November 12, 1996
Confirmation No.: 6390 Group: 3737 Examiner: R. Smith
For: A RAMAN ENDOSCOPE

CERTIFICATE OF FACSIMILE TRANSMISSION	
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office:	
on <u>April 14, 2003</u>	<u>Mary P. McDermott</u>
Date	Signature
<u>Mary P. McDermott</u>	
Typed or printed name of person signing certificate	

FAX RECEIVED
APR 14 2003
GROUP 3700

TRANSMITTAL OF DECLARATION UNDER 37 C.F.R. 1.132

Commissioner of Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is the Declaration of Stephen F. Fulghum being in connection with the above referenced application. The following supplements the previously filed Request for Continued Examination mailed on April 1, 2003.

REMARKS

Claims 29-34 stand rejected under 35 U.S.C. 112, first paragraph. Applicant is submitting the Declaration of Stephen F. Fulghum to rebut the basis for this rejection, namely, that the specification allegedly "fails to provide any teaching of structural elements which are to be used to provide for a measurement of fluorescence of endogenous tissue". As indicated by Dr. Fulghum, the specification does teach all the structural elements that are needed to perform such a method. Applicants respectfully request reconsideration of this rejection.

Claims 15-17, 19-24 and 26-34 were rejected under 35 U.S.C. 103(a) as being unpatentable over Alfano et al. in view of Lewis et al. and Ito or Nagasaki et al. Claims 18 and 25 were rejected under 35 U.S.C. 103(a) as being unpatentable over the above combination of references and further in view of Sekiguchi.